

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Trustees of the Teamsters Local 456 Pension, Health &  
Welfare, Annuity, Education & Training, S.U.B.,  
Industry Advancement and Legal Services Funds and the  
Westchester Teamsters Local Union No. 456,

Plaintiffs,

-against-

EARTHCON INDUSTRIES INC.,

Defendant.

) 08 CIV 5768 (KMK)

)  
)  
) **ORDER TO SHOW**  
) **CAUSE FOR**  
) **DEFAULT JUDGMENT**

**USDS SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** \_\_\_\_\_

KARAS, D.J.:

Upon the annexed supporting affidavit of Giacchino Russo, Esq. and upon  
consideration of Plaintiffs' request for Entry of Final Judgment by Default and the exhibits annexed  
thereto, it is hereby

✓ ORDERED, that the defendant show cause at a conference to be held on the 2 day of  
✓ October, 2008 at 3:30 clock ~~a.m.~~ <sup>p.m.</sup> before the Honorable Kenneth M. Karas in White  
Plains Courtroom 521 of that day or as soon thereafter as counsel can be heard why a Judgment by  
Default should not be entered in favor of Plaintiffs for the relief requested in the Complaint, and it is  
further

ORDERED, that objections to the relief requested herein or answering papers, if any,  
shall be served upon Barnes, Iaccarino, Virginia, Ambinder & Shepherd, PLLC, Attn: Giacchino  
✓ Russo, Esq., 258 Saw Mill River Road, Elmsford, NY 10523 by the 3<sup>rd</sup> day of  
✓ September, 2008; and it is further

ORDERED, that service of a copy of this Order and supporting papers be made upon Defendant, Earthcon Industries Inc., 911 Lester Road, Yorktown Heights, NY 10598 by First Class Mail on or before the 22<sup>nd</sup> day of August, 2008, and such service shall be deemed good and sufficient service.

Dated: White Plains, New York  
August 13, 2008

SO ORDERED:

✓   
KENNETH M. KARAS, U.S.D.J.